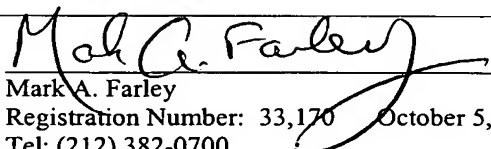


FORM PTO-1390 (REV. 07-2004)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER P/2107-259	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/510329	
INTERNATIONAL APPLICATION NO. PCT/EP2003/003533		INTERNATIONAL FILING DATE 4 April 2003		PRIORITY DATE CLAIMED 6 April 2002	
TITLE OF INVENTION DETECTION OF MYCOBACTERIA IN CLINICAL MATERIAL					
APPLICANT(S) FOR DO/EO/US Franz-Christoph BANGE et al.					
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none">1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.4. <input checked="" type="checkbox"/> The US has been elected (Article 31).5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<ol style="list-style-type: none">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<ol style="list-style-type: none">a. <input checked="" type="checkbox"/> is attached hereto.b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ol style="list-style-type: none">a. <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).b. <input type="checkbox"/> have been communicated by the International Bureau.c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.d. <input type="checkbox"/> have not been made and will not be made.8. <input checked="" type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).9. <input checked="" type="checkbox"/> An <u>Unexecuted</u> oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).10. <input checked="" type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 20 below concern other document(s) or information included:</p> <ol style="list-style-type: none">11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98 with PTO 1449 (six references enclosed).12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.13. <input checked="" type="checkbox"/> A preliminary amendment.14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.7615. <input type="checkbox"/> A substitute specification.16. <input type="checkbox"/> A power of attorney and/or address letter.17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13^{ter}.2 and 37 CFR 1.821-1.825.18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).20. <input checked="" type="checkbox"/> Other items or information (<i>specify</i>): International Search Report; IPER (in German) 4 sheets of drawings Figs. 1-4; Statement Under 37 CFR 1.821; diskette containing sequence listing					
(673340.1)					

U.S. APPLICATION NO. (If known, see 37 CFR 1.53) 107510329		INTERNATIONAL APPLICATION NO. PCT/EP2003/003533		ATTORNEY'S DOCKET NUMBER P/2107-259	
21.[XX] The following fees are submitted:				CALCULATIONS	PTO USE ONLY
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) Nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO And International Search Report not prepared by the EPO or JPO \$1,110.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$950.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO But international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$790.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO But all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$750.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO And all claims satisfied provisions of PCT Article 33(1)-(4)..... \$100.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$950.00	
[] Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims	19 - 20 =	0	x \$18.00	\$	
Independent Claims	8 - 3 =	5	x \$88.00	\$430.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$300.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$1,380.00	
[] Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$	
[] Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$1,380.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by the appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$1,380.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
a. [XX] A check (check no. <u>18314</u>) in the amount \$1,380.00 to cover the above fees is enclosed. b. [] Please charge my Deposit Account No. <u>15-0700</u> in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. [XX] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No.15-0700. A duplicate copy of this sheet is enclosed. NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Robert C. Faber Ostrolenk, Faber, Gerb & Soffen, LLP 1180 Avenue of the Americas New York, New York 10036-8402			 Mark A. Farley Registration Number: 33,170 October 5, 2004 Tel: (212) 382-0700		

EXPRESS MAIL CERTIFICATE

10/510329

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee (mail label #[EV209609001US]) in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 5, 2004:

DT04 Rec'd PCT/PTO 05 OCT 2004

Dorothy Jenkins

Name of Person Mailing Correspondence

Dorothy Jenkins

Signature

October 5, 2005

Date of Signature